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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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UNITED STATES OF AMERICA,

Plaintiff,

v.

ALEJANDRO AVILEZ GOMEZ-  
PENALOZA, a/k/a “Gordito,”

Defendant.

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NO. 1:16-CR-13(5)

**ORDER ADOPTING FINDINGS OF FACT AND RECOMMENDATION**  
**ON DEFENDANT’S GUILTY PLEA**

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for administration of a guilty plea under Rule 11 of the Federal Rules of Criminal Procedure. Judge Hawthorn conducted a hearing in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued his Findings of Fact and Recommendation on Guilty Plea Before the United States Magistrate Judge. The magistrate judge recommended that the court accept the Defendant’s guilty plea. He further recommended that the court adjudge the Defendant guilty on Count One of the Indictment filed against the Defendant.

The parties have not objected to the magistrate judge’s findings. The court **ORDERS** that the Findings of Fact and Recommendation on Guilty Plea of the United States Magistrate Judge are **ADOPTED**. The court accepts the Defendant’s plea but defers acceptance of the plea agreement until after review of the presentence report.

It is further **ORDERED** that, in accordance with the Defendant’s guilty plea and the

magistrate judge's findings and recommendation, the Defendant, Alejandro Avilez Gomez-Penaloza, a/k/a "Gordito," is adjudged guilty as to Count One of the Indictment charging a violation of 21 U.S.C. § 846 (Conspiracy to Possess with Intent to Manufacture and Distribute Actual Methamphetamine).

SIGNED at Beaumont, Texas, this 28th day of February, 2017.

A handwritten signature in black ink, reading "Marcia A. Crone". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE